

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KOBE PINKNEY,

Civil Action No.: 1:19-CV-00167-RAL

Plaintiff,

v.

MEADVILLE, PENNSYLVANIA; POLICE
CHIEF MICHAEL J. TAUTIN; PATROLMAN
JARED FRUM; ALLEGHENY COLLEGE;
SERGEANT WILLIAM MERCHBAKER;
FIRST ASSISTANT DISTRICT ATTORNEY
PAULA DIGIACOMO; MEADVILLE
TRIBUNE; COMMUNITY NEWSPAPER
HOLDINGS, INC.; and KEITH GUSHARD,

Defendants,

**THE MEDIA DEFENDANTS' MOTION TO DISMISS
COUNTS VII AND IX, WITH PREJUDICE**

Now come Defendants, Meadville Tribune, Community Newspaper Holdings, Inc., and Keith Gushard (collectively, the "Media Defendants"), by and through their undersigned counsel, and move this Court under Fed. R. Civ. P. 12(b)(6) to dismiss those claims against them, Counts VII and IX, with prejudice, for failure to state a claim for the reasons set forth in detail in the accompanying brief.

Date: August 21, 2019

Respectfully submitted,

/s/Charles Kelly

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Community Newspaper Holdings, Inc., and

Keith Gushard